

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIAM J. GRADFORD,
Plaintiff,
v.
F. VELASCO, et al.,
Defendants.

No. 1:20-cv-00543-NONE-EPG (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(Doc. No. 70)

Plaintiff William J. Gradford is a former pretrial detainee proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 25, 2021, plaintiff filed a document entitled “plaintiff’s request to dismiss this case.” (Doc. No. 65.) On June 7, 2021, the assigned magistrate judge entered an order requiring plaintiff to submit a notice within 14 days of service of the order, stating whether the May 25, 2021 filing was intended to voluntarily dismiss this case and warning plaintiff that, if he failed to respond, it would be presumed that he did wish to dismiss this case as indicated in his filing. (Doc. No. 69.) After plaintiff failed to respond, the magistrate judge entered findings and recommendations on July 1, 2021, recommending that this case be dismissed without prejudice as voluntarily dismissed and providing the parties 14 days to file any

1 objections. (Doc. No. 70.) To date, neither party has filed any objections, and the time to do so
2 has since expired.

3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
4 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,
5 the court finds the findings and recommendations to be supported by the record and proper
6 analysis.

7 Accordingly,

- 8 1. The findings and recommendations issued by the magistrate judge on July 1,
9 2021 (Doc. No. 70), are adopted in full;
- 10 2. Plaintiff's motion to dismiss (Doc. No. 65) is construed as a motion to
11 voluntarily dismiss this case under Rule 41(a)(1)(ii);
- 12 3. This case is dismissed without prejudice and all pending motions are denied as
13 moot; and
- 14 4. The Clerk of the Court is directed to assign a district judge to this action for
15 purposes of closure and to close this case

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17 IT IS SO ORDERED.

18 Dated: July 30, 2021

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21 UNITED STATES DISTRICT JUDGE
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